

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 521923	§	COMMITTEE
ISSUED TO	§	OF THE TEXAS
RENEE L. BROWDER	§	BOARD OF NURSING

ORDER OF THE BOARD

TO: Renee L. Browder
2304 Katherine St.
Brenham, Texas 77833

During open meeting held in Austin, Texas, on Tuesday, December 9, 2008, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 521923, previously issued to RENEE L. BROWDER, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 521923, previously issued to RENEE L. BROWDER, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 9th day of December, 2008.

TEXAS BOARD OF NURSING

BY: 
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 521923
Issued to RENEE L. BROWDER
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of December, 2008, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Renee L. Browder
2304 Katherine St.
Brenham, Texas 77833

BY:

Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF BOARD



**In the Matter of Permanent License
Number 521923, Issued to
RENEE L. BROWDER, Respondent**

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**BEFORE THE TEXAS
BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, RENE L. BROWDER, is a Registered Nurse holding license number 521923, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about October 9, 2007, Respondent's license to practice professional nursing in the State of Colorado was issued a SUMMARY SUSPENSION by the Colorado State Board of Nursing, Denver, Colorado, based on Findings that:

- On or about July 6, 2007, Respondent was arrested and charged with DRIVING UNDER THE INFLUENCE.
- On or about July 18, 2007, Respondent was admitted to San Rafael Hospital for an overdose of prescription medication.
- On or about August 9, 2007, Respondent signed an interim contract with the Colorado Nurse's Health Program which required her to enter inpatient treatment and refrained her from practicing as a nurse until she completed such treatment. Respondent entered an inpatient facility on August 16, 2007, but left prior to completing the program.

A copy of the Order of Summary Suspension is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

CHARGE II.

On or about February 28, 2008, Respondent's license to practice professional nursing in the State of Colorado was SUSPENDED by the Colorado State Board of Nursing, Denver, Colorado. A copy of the Stipulation and Final Agency Order is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

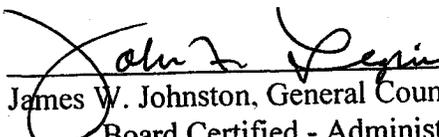
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder which can be found at the Board's website, www.bon.state.tx.us.

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CONTINUED ON NEXT PAGE.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Board of Nurse Examiners for the State of Texas Order, dated March 8, 1994; Colorado State Board of Nursing Order, dated October 9, 2007; Colorado State Board of Nursing Order, dated February 28, 2008.

Filed this 27th day of October, 20 08.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law

Texas Board of Legal Specialization
State Bar No. 10838300

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Board of Nurse Examiners for the State of Texas Order, dated March 8, 1994;
Colorado State Board of Nursing Order, dated October 9, 2007
Colorado State Board of Nursing Order, dated February 28, 2008

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Permanent Certificate
Number 521923 issued to
RENEE L. HAMMOCK

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AGREED ORDER

Following receipt of information, an informal hearing was held on February 1, 1994, at the office of the Board of Nurse Examiners, in accordance with Article 4524C, Revised Civil Statutes of Texas, as amended. An investigation by the Board produced evidence indicating that RENEE L. HAMMOCK, hereinafter referred to as Respondent, may have violated Article 4525(a)(9), Revised Civil Statutes of Texas as amended.

An informal hearing was held in the office of the Board with Respondent in attendance as well as Cady Crismon, MSN, RN, CNS, Department Director; Penny Burt, General Counsel; Roy Rawls, Assistant General Counsel; Kathleen S. Lamm, Supervising Investigator; and Anthony L. Diggs, Investigator.

At the aforementioned conference, Respondent was not represented by legal counsel, although having been notified of rights regarding same.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. On or about August 10, 1993, while employed in the position of Director of Nurses with Deaf Smith General Hospital, Hereford, Texas, Respondent failed to insure that appropriate assignments of nursing care were made which resulted in two GNs being left in charge positions without RN supervision and without an RN on the premises. As Director of Nurses, Respondent was administratively responsible for this function.

CONCLUSIONS OF LAW

1. That pursuant to Article 4525, Revised Civil Statutes of Texas, as amended the Board has jurisdiction over this matter.

2. That the evidence received was conclusive to prove unprofessional or dishonorable conduct which, in the opinion of the Board, is likely to deceive, defraud, or injure patients or the public.
3. That the activities of the Respondent constituted sufficient cause pursuant to Article 4525(b)(9), Revised Civil Statutes of Texas as amended, to take disciplinary action against license number 521923, heretofore issued to RENEE L. HAMMOCK.

After discussion of the matters previously outlined in this Order, it was agreed among the parties, subject to ratification by the Board of Nurse Examiners, that Respondent be issued the discipline of remedial education.

Respondent shall, within one (1) year of entry of this Order, successfully complete a course in Nursing Jurisprudence and shall, within two (2) years of entry of this Order, successfully complete a college semester length course in Nursing Management. Both courses must be approved by the Board prior to enrollment. I shall cause the sponsoring institution to submit a Verification of Completion form to verify my successful completion of the course.

I have reviewed this Agreed Order. I consent to the issuance of this Order of the Board and all terms and conditions contained herein. I understand that I have the right to legal counsel prior to entering into this Agreed Order. I hereby waive my right to a hearing and judicial review of this Order. By my signature on this Order, I neither admit or deny the truth of the matters previously set out in this Order. I agree to the entry of an Order dispensing with the need for further disciplinary action in this matter.

Dated this 9 day of Feb, 1944.

Renee L. Hammock
RENEE L. HAMMOCK

Sworn to before me this 7th day of Feb, 1944.

SEAL

Paula L. Fisher
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order signed by RENEE L. HAMMOCK, license number 521923, on the 9th day of February, 1944, and said Order is final.

Entered this 8th day of March, 1944.

Louise Waddill *Ph.D.*
Louise Waddill, Ph.D., R.N.
Executive Director on behalf
of said Board

BEFORE THE STATE BOARD OF NURSING
STATE OF COLORADO

Case Number 2008-000521

ORDER OF SUMMARY SUSPENSION

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE
LICENSE TO PRACTICE AS A PROFESSIONAL NURSE IN THE STATE OF
COLORADO OF RENEE BROWDER, R.N., LICENSE NO. 176619, N.P., RXN

Respondent.

TO: RENEE BROWDER, R.N., N.P., RXN

ORDER OF SUMMARY SUSPENSION

The State Board of Nursing ("Board"), having conducted a full investigation as to the matters referenced below, HEREBY FINDS:

1. Respondent was licensed to practice as a Professional nurse in the State of Colorado on June 16, 2006 being issued license number 176619 and has been so licensed at all relevant times herein. Respondent also holds Nurse Practitioner advanced practice status with authority number 5015, and Prescriptive Authority with authority number 06-225.

2. The Board has jurisdiction over the Respondent, Renee Browder, R.N., N.P., RXN, and the subject matter herein.

3. Respondent was arrested and charged with driving under the influence of alcohol, § 42-4-1301, C.R.S., on July 6, 2007. Further investigation by her employer following notification of the DUI revealed that Respondent had been admitted to the San Rafael Hospital on July 18, 2007 for an overdose of prescription medication. After the DUI, Respondent's employer referred her to the Colorado Nurse's Health Program ("CNHP"). On August 9, 2007, Respondent signed an interim contract with CNHP requiring Respondent to abide by certain conditions. Respondent's CNHP conditions included Respondent entering inpatient treatment, and Respondent refraining from practicing as a nurse until she completed inpatient treatment. Respondent entered an inpatient facility on August 16, 2007, but left prior to completing the treatment program. On October 4, 2007, CNHP referred Respondent back to the Board, stating that the program cannot assure public protection at this time. As a result of the facts in this case, Respondent has been shown to be addicted to or dependent on alcohol or other habit-forming drugs, and has a physical or mental disability which renders her unable to practice nursing with

reasonable skill and safety to the patients and which may endanger the health or safety of persons under her care.

4. Based on the information obtained in the Board's investigation, objective and reasonable grounds exist to believe, and the Board so finds, that the Respondent violated the Nurse Practice Act §12-38-101 *et seq.* C.R.S.

5. Based on the information obtained in the Board's investigation, objective and reasonable grounds exist to believe, and the Board so finds, that the public health, safety, and welfare imperatively require that emergency action be taken.

THEREFORE, IT IS HEREBY ORDERED that, pursuant to §24-4-104(4), C.R.S., the license to practice as a professional nurse, the advanced practice registry status, and the prescriptive authority of Renee Browder, R.N., N.P., RXN, are hereby summarily suspended pending proceedings to determine whether Respondent's license to practice professional nursing, advanced practice registry status, and prescriptive authority should be further disciplined in accordance with section 12-38-116.5, C.R.S. Such proceedings shall be promptly instituted and determined.

Pending the outcome of said proceedings, IT IS FURTHER ORDERED that Renee Browder, R.N., N.P., RXN, immediately cease, desist, and refrain from any further acts for which a license to practice as a Professional nurse, advanced practice registry status, or prescriptive authority is required by the laws of the State of Colorado, and that her license, advanced practice registry, and prescriptive authority cards be immediately submitted to the Board pending the outcome of this proceeding.

By: Terrie Miller

Terrie Miller

Acting Program Director

State Board of Nursing

1560 Broadway, Suite 1370

Denver, Colorado 80202

Effective Date: This 9th Day of October, 2007.

BEFORE THE STATE BOARD OF NURSING
STATE OF COLORADO

Case No. 2008-000521

STIPULATION AND FINAL AGENCY ORDER

**IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE
TO PRACTICE PROFESSIONAL NURSING IN THE STATE OF COLORADO OF
RENEE BROWDER, R.N., LICENSE NUMBER 176619, N.P., RXN**

IT IS HEREBY STIPULATED by and between the State Board of Nursing, Inquiry Panel A (the "Board") and Renee Browder, R.N., N.P., RXN ("Respondent"), as follows:

1. Respondent was licensed to practice as a professional nurse in the State of Colorado on June 16, 2006, has been licensed at all relevant time herein and is now so licensed. Respondent also received nurse practitioner advanced practice status in July, 2006, with authority number 5015, and has held the N.P. status at all relevant times herein. Respondent also received Prescriptive Authority in July, 2006, with authority number 06-225, and has held the RXN authority at all relevant times herein.

2. The Board has jurisdiction over Respondent and the subject matter of this Stipulation and Final Agency Order ("Order").

3. It is the intent of the parties and the purpose of this Order to provide for a settlement of all matters set forth in case number 2008-000521 only, without the necessity of holding a formal disciplinary hearing. This Order constitutes the entire agreement between the parties, and there are no other agreements or promises, written or oral, which modify, interpret, construe or affect this Order.

4. Respondent understands that:

a. Respondent has the right to be represented by an attorney of the Respondent's choice and Respondent is so represented in this matter.

b. Respondent has the right to a formal disciplinary hearing pursuant to sections 12-38-116.5 and 24-4-105, C.R.S.;

c. By entering into this Order, Respondent knowingly and voluntarily waives the right to a hearing, admits the facts contained in this Order, and relieves the Board of its burden of proving such facts;

d. By entering into this Order, Respondent knowingly and voluntarily waives the right to present a defense by oral and documentary evidence, and to cross-examine witnesses who would testify on behalf of the Board;

e. By entering into this Order, Respondent knowingly and voluntarily waives the right to seek judicial review of this Order; and

f. By entering into this Order, Respondent acknowledges that during the effective period of this Order, any license issued by the State of Colorado shall be a single state license without multistate licensure privilege to practice in other states, except as otherwise provided in this Order.

5. Respondent admits as follows:

a. The Board has jurisdiction over the Respondent, Renee Browder, R.N., N.P., RXN, and the subject matter herein.

b. On or about July 6, 2007, Respondent was arrested for Driving under the Influence of Alcohol, pursuant to § 42-4-1031, C.R.S., in Las Animas County case #07T551.

c. On July 18, 2007, Respondent was hospitalized after overdosing on her prescription Ambien and prescription Zebutal.

d. Respondent called the Colorado Nurse Health Program ("CNHP") on July 19, 2007 and scheduled an intake appointment for August 2, 2007.

e. On August 2, 2007, Respondent met with a licensed addiction counselor who evaluated Respondent for the CNHP program.

f. The CNHP evaluator and licensed addiction counselor met with Respondent, evaluated Respondent's condition, and diagnosed Respondent with Alcohol Abuse with possible dependence, an Axis I diagnosis.

g. On or about August 9, 2007, Respondent agreed to initiate inpatient residential treatment on or before August 17, 2007.

h. Respondent entered inpatient treatment at Bradford Health Services in Warrior, Alabama, ("Bradford") on or about August 16, 2007.

i. During her time at Bradford, Respondent met with an assessment coordinator and the medical director, who assessed Respondent's condition and need for treatment.

j. The Bradford assessment of Respondent's condition diagnosed Respondent with alcohol dependence, an Axis I diagnosis.

k. Respondent asserts her insurance carrier, Blue Cross and Blue Shield of Texas, rejected coverage for the Bradford program on or about August 17, 2007.

l. On August 23, 2007, Respondent left the Bradford inpatient program against medical advice.

m. On August 28, 2007, Respondent sent a letter to the CNHP impaired professional diversion committee ("CNHP Committee") requesting a modification of the CNHP Committee determination that she needed to complete inpatient treatment.

n. On September 6, 2007, Respondent entered a plea of guilty to Driving Under the Influence of Alcohol pursuant to § 42-4-1301, C.R.S., in Las Animas County case #07T551.

o. On September 14, 2007, Respondent left a message for her CNHP coordinator stating she could not do inpatient treatment.

p. On September 26, 2007, the CNHP Committee rejected Respondent's August 28 request to modify the requirement for inpatient treatment.

q. On September 26, 2007, the CNHP Committee voted to terminate Respondent from the CNHP program.

6. By virtue of the facts admitted in paragraph 5 above, Respondent admits, and the Board hereby finds, that Respondent is subject to discipline pursuant to section 12-38-117(1)(i) and (j), C.R.S.

7. The Board is authorized by section 12-38-116.5(4)(c)(III), C.R.S. to order appropriate disciplinary sanctions as set forth in this Order.

8. The Board is authorized to suspend, revoke or otherwise discipline any licensee as provided in section 12-38-108(1)(b.5), C.R.S. for any of the following:

12-38-117. Grounds for discipline. (1) "Grounds for discipline," as used in this article, means any action by any person who:

- (i) Is addicted to or dependent on alcohol or habit-forming drugs, is a habitual user of controlled substances, as defined in section 12-22-303(7) , or other drugs having similar effects, or is diverting controlled substances, as defined in section 12-22-303(7), or other drugs having similar effects from the licensee's place of employment; except that the board has the discretion not to discipline the licensee if such licensee is participating in good faith in a program approved by the board designed to end such addiction or dependency; and
- (j) Has a physical or mental disability which renders him unable to practice nursing with reasonable skill and safety to the patients and which may endanger the health or safety of persons under his care.

PERIOD OF SUSPENSION AND TREATMENT MONITORING

9. Respondent's professional nursing license shall be suspended for a period of a minimum of six (6) consecutive months, commencing on the effective date of this Order. The suspension shall continue until Respondent has met the conditions set forth in this Order for the lifting of the suspension.

REQUIREMENTS FOR LIFTING OF SUSPENSION

10. The suspension of Respondent's license will not be lifted until Respondent has completed a period of compliance of a minimum of six (6) consecutive months in which all conditions of this Order are simultaneously met ("the Compliance Period").

11. Prior to commencing the Compliance Period, Respondent must nominate a treatment monitor for approval by the Board. The treatment monitor must have a minimum certification as a certified addiction counselor II, or must have equivalent training and experience as determined by the Board. Respondent's nomination of a treatment monitor must be accompanied by (i) a current curriculum vitae provided by the nominated treatment monitor and (ii) a letter from the treatment monitor stating that the treatment monitor has read this Order and agrees to perform the functions of a treatment monitor as set forth herein.

12. Prior to commencing the Compliance Period, Respondent must nominate a collection site and a laboratory for random urine drug/alcohol screening for Board approval by submitting Board-approved forms via the collection site and the laboratory. All body fluid specimens must be collected and all drug/alcohol screens must be conducted in

compliance with Board policy. The Board shall designate the substances to be tested by the laboratory and so inform the collection site.

13. The Respondent must complete the following during the Compliance Period (the "Compliance Period Requirements"):

a. Respondent shall submit weekly negative random body fluid specimens for drug/alcohol screening using a collection site and a laboratory approved by the Board.

b. Respondent must undergo an initial evaluation of treatment needs by a Board approved health care provider and must comply with treatment goals and a treatment plan as specified by the health care provider.

c. Respondent must participate in weekly twelve-step program meetings or alternative support group meetings if the Board approves such alternative meetings.

d. The health care provider must submit a report reflecting Respondent's successful completion of the evaluation and treatment set forth in subparagraphs (a) through (c) above for a period of at least six (6) months immediately prior to the lifting of the suspension. Such report must include:

- i. affirmation that the healthcare provider has read this Order;
- ii. the date of the initial appointment with the Respondent;
- iii. frequency of visits;
- iv. mental status examination;
- v. diagnosis;
- vi. treatment plan;
- vii. compliance with treatment plan;
- viii. current status of treatment goals;
- ix. list of Respondent's current medications; and
- x. a statement of Respondent's safety to practice with reasonable skill and safety to the patient in all of the following areas: mental status, ability to think critically, ability to function in an emergency and ability to enter into a therapeutic nurse-patient relationship.

e. Respondent must gain admission to the Board's peer health assistance/alternative to discipline program, as provided by and also known as the Colorado Nurse Health Program ("CNHP"), pursuant to section 12-38-131, C.R.S., in accordance with the terms set forth below.

14. By entering into this Order, Respondent voluntarily requests, and the Board grants, permission to participate in CNHP. In the event that CNHP is eliminated or in any way ceases to exist during the period of time in which Respondent is undergoing evaluation or monitoring, the Board may order substitution of another such program or the Board itself may monitor Respondent. Under such circumstances, monitoring terms may be subject to amendment or revision as the Board determines in its discretion is necessary to establish terms substantially equivalent to those set forth in this Order and all provisions of this Order concerning CNHP shall be applicable to the substituted program. Additionally, Respondent hereby agrees that any release or authorization granted to CNHP shall also apply to any subsequent program during the effective period of this Order.

15. The suspension will not be lifted until Respondent has (a) submitted an application to CNHP and undergone an evaluation by CNHP to determine an appropriate monitoring contract; (b) obtained an opinion from CNHP following evaluation that with CNHP monitoring, Respondent is able, from a mental and physical health perspective, to practice nursing with reasonable skill and safety to the patient; (c) agreed to comply with all terms and conditions determined by CNHP for participation in CNHP; and (d) entered into a written contract with CNHP setting forth such terms and conditions ("CNHP Contract"). All terms set forth in this paragraph shall constitute the "CNHP Requirements."

16. The suspension will not be lifted until Respondent has complied with all Compliance Period and CNHP Requirements.

17. Upon successful compliance with all terms set forth above, including but not limited to, completion of all Compliance Period and CNHP requirements, Respondent may then apply in writing for the lifting of the suspension of Respondent's nursing license(s). If Respondent has complied with all Compliance Period Requirements and CNHP Requirements, the Board will grant the request to lift the suspension subject to the terms of this Order at the next regularly scheduled meeting for which all required documentation has been properly submitted.

18. Following the lifting of the suspension, Respondent's failure to comply with the original terms and conditions of, and any subsequent modifications to, the CNHP contract shall constitute a violation of this Order.

19. Following the lifting of the suspension, and within two weeks of obtaining nursing employment at any time during the pendency of this Order, Respondent shall provide a copy of this Order to the immediate nursing supervisor at Respondent's place of employment.

20. Additionally, upon Board review of Respondent's application for the lifting of the suspension, the Board shall determine whether additional terms and conditions of

licensure, including re-examination and/or the successful completion of remedial courses and/or completion of other educational requirements are required to demonstrate Respondent's competency. Respondent agrees to comply with any such examination or educational requirements the Board, in its discretion, deems appropriate to assure Respondent's demonstration of competency. Such examination or educational requirements shall be set forth with specificity in an addendum to this Order prior to the lifting of the suspension.

21. By entering into this Order, Respondent authorizes the Board to request information, which would otherwise be confidential, that is related to Respondent from any healthcare professional providing services pursuant to Respondent's involvement in CNHP. Additionally, Respondent authorizes the Board to release Board records to any healthcare professional providing services pursuant to Respondent's involvement in CNHP.

22. Within 30 days of the effective date of this Order (and as often as may reasonably be required to allow the Board access to Respondent's privileged or confidential information), Respondent shall complete an unrestricted release authorizing CNHP to disclose to the Board all privileged or confidential information in its possession concerning Respondent. This information may include alcohol and drug abuse treatment program records that may be confidential under federal or state law. Respondent shall also complete any and all unrestricted releases as are necessary to permit CNHP to disclose to the Board information generated by other sources. Respondent authorizes the Board to re-disclose and make public, consistent with Board policy, information obtained from CNHP necessary for the limited purposes of enforcing this Order, seeking sanctions for non-compliance with this Order, or other purposes authorized in the Nurse Practice Act, sections 12-38-101 to -133, C.R.S. Medical records shall not become public records by virtue of such use. Any revocation of any release or authorization by Respondent shall constitute a violation of this Order. In the event Respondent revokes such release, CNHP may, because of confidentiality concerns, refuse to acknowledge Respondent's participation in CNHP.

POSSIBLE SANCTIONS FOR VIOLATION OF THIS ORDER

23. Respondent acknowledges that CNHP shall provide a written or oral report to the Board within 24 hours, or next working day, of Respondent's termination from CNHP for any reason other than successful completion. Termination from CNHP may occur for failure to comply with any term of the CNHP Contract, or upon a finding by CNHP that Respondent is unable to practice nursing with reasonable skill and safety to the patients. CNHP may also refer Respondent to the Board for non-compliance not resulting in termination from CNHP. Following notification of Respondent's non-compliance with CNHP or termination from CNHP, the Board may take appropriate action as authorized by the Nurse Practice Act and/or this Order.

24. Respondent acknowledges that if Respondent is referred to the Board for non-compliance, all documents kept in the possession of CNHP regarding Respondent may be sent to the Board.

25. If at any time during the duration of this Order, Respondent fails to attend or complete CNHP, the Board may, as provided by section 12-38-131(4), C.R.S., immediately suspend Respondent's license to practice professional nursing.

a. In the event that the Board suspends Respondent's license for failing to attend or complete CNHP, the Board shall send an Order of Suspension to Respondent by first class mail to Respondent's address of record with the Board. Such suspension shall be effective three days after the date the Order of Suspension is mailed by first class mail, postage prepaid, to Respondent's address of record.

b. In the case of such suspension, the Board shall lift the suspension upon review of evidence establishing that Respondent has resumed compliance with CNHP.

c. Within ten (10) days of the receipt of an Order of Suspension, Respondent may request a hearing contesting the allegation(s) that led to the section 12-38-131, C.R.S., suspension. At the hearing, the licensee shall bear the burden of proving that his or her license should not be suspended. Such hearing will be limited to the issue of whether Respondent failed to attend or complete the program. A request for hearing will not stay the suspension of Respondent's license.

26. If at any time during the duration of this Order, Respondent violates any term of this Order other than as addressed in the above paragraph, the Board may, as provided by section 12-38-116.5(4)(c)(IV), C.R.S., suspend Respondent's license to practice professional nursing until such time as Respondent complies with such conditions or may revoke Respondent's license to practice nursing.

a. In the event that the Board suspends or revokes Respondent's license pursuant to section 12-38-116.5(4)(c)(IV), C.R.S., the Board shall send either an Order of Suspension or Order of Revocation to Respondent by first class mail to Respondent's address of record with the Board. Such suspension or revocation shall be effective three days after the date the Order of Suspension or Order of Revocation is mailed by first class mail, postage prepaid, to Respondent's address of record.

b. In the case of a suspension, the Board shall lift the suspension upon review of evidence establishing that Respondent has resumed compliance with this Order.

c. In the case of a revocation, the Respondent may not resume the practice of nursing unless and until Respondent successfully applies for and is granted a new license to practice nursing pursuant to the Nurse Practice Act.

d. Within ten (10) days of the receipt of an Order of Suspension or Order of Revocation, Respondent may request a hearing contesting the allegation(s) that led to the section 12-38-116.5(4)(c)(IV), C.R.S., suspension or revocation. In the hearing, the licensee shall bear the burden of proving that his or her license should not be suspended. Such hearing will be limited to the issue of whether Respondent complied with all terms of this Order. A request for hearing will not stay the suspension or revocation of Respondent's license.

27. In addition to any remedy set forth above, the Board may commence disciplinary proceedings pursuant to sections 12-38-116.5, and 24-4-104 to -105, C.R.S., for any additional act subject to discipline under section 12-38-117, C.R.S. In the event of a subsequent disciplinary hearing, this Order shall be admissible into evidence. In the event the facts that constitute the alleged violation of this Order are determined to be unproven, no disciplinary action shall be taken by the Board, and this Order shall remain operative and in full force and effect. The pendency of any disciplinary action pursuant to this Order shall not affect the obligation of Respondent to comply with the terms of this Order.

28. Respondent understands that if, during the pendency of this Order, the Board has reasonable grounds to believe the Respondent is in violation of this Order or engages in any conduct that is subject to discipline pursuant to the Nurse Practice Act, sections 12-38-101 to -133, C.R.S., or both, the Board may refer Respondent for additional action pursuant to the Nurse Practice Act and the State Administrative Procedure Act, sections 24-4-104 to -108, C.R.S.

29. In the event this matter is referred to disciplinary hearing for violation of this Order, this Order shall be admissible as evidence. In the event the facts that constitute the alleged violation of this Order are determined to be unproven, no disciplinary action shall be taken by the Board, and this Order shall remain operative and in full force and effect.

OTHER TERMS

30. At the end of Respondent's CNHP Contract, CNHP will provide written proof to the Board of successful completion of the CNHP Contract. If the Board finds that Respondent adhered to all terms of this Order, then this proceeding shall be concluded.

31. In the event of relocation to another state, Respondent's requirements under this Order will be stayed until completed, except as otherwise provided in this Order.

32. In the event of relocation to another state that is not a member of the Nurse Licensure Compact, sections 24-60-3201 to -3202, C.R.S. (non-party state), Respondent shall notify the Board of the change of address within thirty (30) days of such relocation. Respondent acknowledges that the Board may notify the Board of Nursing, or the equivalent regulatory agency in any state to which Respondent relocates or applies for a health care license, of the existence and terms of, and Respondent's compliance with, this Order.

33. In the event of relocation to a state that is a member of the Nurse Licensure Compact (party state), Respondent shall obtain prior written authorization from the Board and from the equivalent regulatory agency in the other party state to which Respondent is relocating in order to practice nursing in the other party state.

34. Respondent may request to complete the requirements of this Order while relocated to another state by submitting verifiable written proof of practice under the same or similar conditions as required by this Order. The decision whether or not to grant credit for nursing practice in another state shall rest exclusively in the discretion of the Board.

35. Respondent shall comply with all provisions of the Nurse Practice Act, all rules and regulations of the Board and obey all other state and federal laws while the terms of this Order are in effect.

36. Both parties acknowledge that the terms of this Order were mutually negotiated and determined.

37. Both parties acknowledge that they understand the legal consequences of this Order, both parties enter into this Order voluntarily and both parties agree that no term or condition of this Order is unconscionable.

38. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent, and shall in no way be the obligation of the Board.

39. This Order shall become an order of the Board when approved by the Board and signed by an authorized representative.

40. In the event this Order is not signed by an authorized Board representative, it shall be void and Respondent shall not be bound by any provisions hereof or admissions herein.

41. Upon signature by an authorized Board representative, this Order and all of its terms shall have the same force and effect as an order entered after a formal hearing pursuant to section 12-38-116.5(4)(c)(III), C.R.S., except that it may not be appealed. This Order and all of its terms also constitute an order of the Board for purposes of section 12-38-117(1)(g), C.R.S., and any violation of this Order may constitute grounds for further disciplinary sanctions.

42. This Order shall be admissible as evidence at any future hearing before the Board.

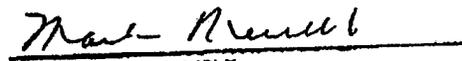
43. During the pendency of any action arising out of this Order, the obligations of the parties shall be deemed to be in full force and effect and shall not be tolled.

44. Upon becoming effective, this Order shall become a permanent part of the record and shall be open to public inspection and publicized pursuant to the Board's standard policies and procedures. Additionally, this Order shall be reported to the National Council of State Boards of Nursing, the Healthcare Integrity and Protection Data Bank and as otherwise required by state or federal law.

RESPONDENT

STATE BOARD OF NURSING


RENEE BROWDER, R.N., N.P.,
RXN


MARK MERRILL
Program Director
State Board of Nursing
1560 Broadway, Suite 1370
Denver, Colorado 80202

Effective Date: This 18th day
of February, 2008.

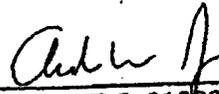
APPROVED AS TO FORM

HARRIS, KARSTADT, JAMISON &
POWERS

JOHN W. SUTHERS
Attorney General



SUSAN STAMM, 26263
Attorney for the Respondent



ANDREW W. JURIS, 31988*
Assistant Attorney General
Business and Licensing Section

Attorneys for the Board of Nursing

181 Inverness Drive West, Suite 300
Englewood, CO 80112
Telephone: (720) 875 - 9140
FAX: (720) 875 - 6141

1525 Sherman Street, 5th Floor
Denver, Colorado 80203
Telephone: (303) 866-5145
FAX: (303) 866-5395
*Counsel of Record